



UNITED STATES PATENT AND TRADEMARK OFFICE

APPENDIX B

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20531
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/430,870	11/01/1999	LEATON, JENNIFER BIALIC	103544.127	7866

JASON A REYES
HALE AND DORR LLP
60 STATE STREET
BOSTON, MA 02109

7590

06/14/2002

EXAMINER

LE, DEBBIE M

ART UNIT	PAPER NUMBER
----------	--------------

2177

DATE MAILED: 06/14/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/430,870

Applicant(s)

BIALIC, LEATH JENNEY

Examiner

DEBBIE M LE

Art Unit

2177

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 April 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

Notice of References Cited

Application/Control No.

09/430,870

Applicant(s)/Patent Under
Reexamination
BIALIC, LEATH JENNEY

Examiner

DEBBIE M LE

Art Unit

2177

Page 1 of 1

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-6,341,314	01-2002	Doganata et al.	
	B	US-6,419,104	09-2000	Brumbelow et al.	709/220
	C	US-			186/37
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	
	V	
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

DETAILED ACTION

Response to Amendment

Applicants argument filed on 4/8/02, paper # 7. Applicant's arguments with respect to claims 1-31 have been considered but are moot in view of the new ground(s) of rejection.

Specification

The use of the trademark, for example "Web Wizard", "ActiveX" on page 11 or "Windows", "Unix" or "Java" elsewhere has been noted in this application. It should be capitalized wherever it appears and be accompanied by the generic terminology.

Although the use of trademarks is permissible in patent applications, the proprietary nature of the marks should be respected and every effort made to prevent their use in any manner which might adversely affect their validity as trademarks.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-10, 16-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fogarasi et al (US Patent 6,128,619) in view of Doganata et al (US Patent 6,341,314).

As per claim 1, Fogarasi teaches:

analyzing a first set of computer software data that specifies interaction with a database, deriving from the first set of computer software data a second set of computer software data for interacting with the database, using the second set of computer software data to interact with the database independently of the first set of computer software data (figs. 6a-6d, title, abstract, col. 1, lines 55-61, col. 4, lines 20-35, col. 5, lines 20-63).

Fogarasi does not explicitly teach the first set of computer software data being configured for use with existing application software that is capable of interacting with the database. However, Doganata teaches the first set of computer software data being configured for use with existing application software that is capable of interacting with the database (col. 2, lines 21-45, col. 3, lines 1-30, col. 5, lines 30-49). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made

to combine the teachings of Fogarasi with Doganata to implement the step of first set of computer software data being configured for use with existing application software that is capable of interacting with the database because the complexity of developing new application programs should minimize the need for developing new application programs.

As per claims 2-6, Fogarasi teaches producing a Web based application that relies on the second set of computer software data, the derivation of the second set of computer software data includes referring to an incomplete Web application, deriving a Web based application from the second set of computer software data and an incomplete Web application, combining the second set of computer software data with an incomplete Web based application (col. 11-13, col. 19, lines 26-31).

As per claims 6-10, Fogarasi teaches deriving database interaction information from the first set of computer software data, the database interaction information includes an identification of a database record, an identification of a database field, an information that allows a connection to be made to the database, an user interface information (figs. 6a-6d, fig. 7c, col. 5, lines 1-3, col. 12-13).

As per claim 16, Fogarasi teaches:

analyzing a first set of computer software data that specifies interaction with a database, deriving from the first set of computer software data, a second set of computer software data for interacting with the database, the first and second sets of computer data describe respective first and second forms (HTML, XML, Wizard) for

interacting with the database (title, abstract, col. 1, lines 55-61, col. 4, lines 20-35, col. 5, lines 20-63).

Fogarasi does not explicitly teach the first set of computer software data being configured for use with existing application software that is capable of interacting with the database. However, Doganata teaches the first set of computer software data being configured for use with existing application software that is capable of interacting with the database (col. 2, lines 21-45, col. 3, lines 1-30, col. 5, lines 30-49). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fagarasi with Doganata to implement the step of first set of computer software data being configured for use with existing application software that is capable of interacting with the database because the complexity of developing new application programs should minimize the need for developing new application programs.

As per claims 17, Fogarasi teaches wherein the first and second forms include respective first and second form elements that are directed to the same set of information in the database (figs. 6a-6d).

As per claims 18-22, Fogarasi teaches deriving a Web based application from the second set of computer software data and a template application, the template application supports a function that is not specified in the second set of computer software data, the template application supports a database search, viewing, data entry functions (figs. 7a-7l).

As per claim 23, Fogarasi teaches producing a Web based application that relies on the second set of computer software data, and creating a Web link that refers to the Web based application (figs. 6a-6d, col.12, lines 22-35).

As per claims 24-25, Fogarasi teaches deriving, from the first set of computer software data, a text file that includes information for interacting with the database; and deriving the second set of computer software from the text file, positional information for an element of the first form (figs. 7b-7c).

As per claims 26-27, Fogarasi teaches determining from the first set of computer software data, a relationship between a base table and a subtable in the database, a relational link between fields in the database (col. 5, lines 21-32, col. 6, lines 21-29, col. 11, lines 53-58).

Claims 28 and 30 are rejected by the same rationale as states in independent claim 1 argument.

Claims 29 and 31 are rejected by the same rationale as states in independent claim 16 argument.

Claims 11-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fogarasi et al (US Patent 6,128,619) and Doganata et al (US Patent 6,341,314) and further in light of DiPace et al (US Patent 5,418,944).

As per claims 11-15, Fogarasi and Doganata do not explicitly teach wherein the user interface information includes an identification of a chemical structure window, an identification of a molecular weight window, an identification of a molecule name window, an identification of a chemical formula window, an identification of a chemical

synonym window. However, DiPace teaches the system and method allow the retrieval of molecules stored into a molecular database. The molecular retrieval process starts when the user interface (fig. 2, # 28) received the query to be processed from an input means. Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teaching of Fogarasi, Doganata and DiPace to allow the system to have a user interface that allowing users (scientists) who require more powerful molecular retrieval tools, allowing them to make queries in a selective way so as to easily reflect molecular similarity and effectively use the information stored into the database (col. 1-2, lines 65-2).

Conclusion

Claims 1-31 are rejected.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

If a reference indicated as being mailed on PTO-FORM 892 has not been enclosed in this action, please contact Lisa Craney whose phone number is (703) 305-9601 for faster service.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Debbie M Le whose telephone number is (703) 308-6409. The examiner can normally be reached on 8:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Breene can be reached on (703) 305-9790. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 746-7240.



Debbie Le
June 6, 2002



JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100